

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

STARRED QUESTION NO:60
ANSWERED ON:20.02.2003
LAW TO STOP PIRACY
ASHOK NAMDEORAO MOHOL;PUTTASWAMY GOWDA

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether the Government are aware that the Indian Film Industry is facing lot of problems of piracy and incurring loss as a result thereof;
- (b) if so, the facts thereof;
- (c) whether there is no concrete law to stop the piracy and to punish the guilty;
- (d) if so, whether there is a demand to amend the existing laws to make them more strict; and
- (e) if so, the reaction of the Union Government in this regard?

Answer

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI RAVI SHANKAR PRASAD)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.60 REGARDING LAW TO STOP PIRACY FOR REPLY ON 20.2.2003.

(a) to (e): According to the FICCI-Arthur Andersen Report of 2002, the film industry is losing approximately Rs.3.6 billion per annum on account of piracy.

The Copyright Act, 1957, which falls under the purview of the Ministry of Human Resource Development provides the legal basis for the subsistence of copyright in cinematograph films and music. The responsibility for dealing with offences under the Copyright Act rests with the police authorities of the State Governments and Union Territory Administrations. Copyright Enforcement Cells have been set up in most States/UT Administrations headed by a senior police officer to deal with such offences. The Copyright Act is amended from time to time to keep it in consonance with International Copyright law. The last major amendment of the Act was in 1994 and in 1999 there was a minor amendment to make certain provisions of the Act compatible with the TRIPS Agreement.

The Ministry of Information and Broadcasting has taken several initiatives to mitigate piracy of films as follows:

- (i) On the basis of a recommendation made by the Committee for Development of the Entertainment Sector, the Indian Institute of Mass Communication has been asked to formulate appropriate training modules for police officers to train them for anti-piracy work.
- (ii) To create an anti-piracy mind-set and to promote cooperation among stakeholders, this Ministry had brought film producers, multi-service operators and cable operators together, and they had jointly resolved not to exhibit films without valid permission from the copyright holders.
- (iii) In an effort to check cable piracy, the Cable Television Networks Regulation Act has been amended in 2000, enabling the Government to prohibit a Cable operator from transmitting or retransmitting any programme or channel for which he has not been granted a license by the Copyright holder.
- (iv) A recommendation made by the Committee for Development of the Entertainment Sector, that a realistic ceiling level for entertainment tax to be imposed by the State Governments could be 60%, since high rate of entertainment tax facilitates piracy, has been communicated to all State Governments.